

MEMO ENDORSED

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May 18, 2021

**Via ECF**

Honorable Andrew L. Carter, Jr.  
United States District Judge  
Southern District of New York  
United States Courthouse  
40 Foley Square, Room 435  
New York, NY 10007

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Re: *United States v. Hernandez, et al.* – Larry Smith  
Docket No. 18-CR-420 (ALC)

Dear Judge Carter:

We represent defendant Larry Smith in the above-captioned case and write to respectfully request a temporary modification of the conditions of Mr. Smith's release to permit him to travel outside the geographic areas set as a condition of his release. Specifically, Mr. Smith is requesting permission to travel to New Jersey on Monday, May 24, 2021 to take his family to the Dream Mall and an amusement park in Rutherford, New Jersey. Mr. Smith would like to leave his apartment around 6:30 am on the morning of May 24 and return to New York in time to be in his home in compliance with his 8:00 p.m. curfew set by Pretrial Services.

I have communicated with both the U.S. Attorney's Office and Pretrial Services about this application. Both AUSA Christopher Clore and Officer John Moscato have informed me that they have no objection to this application. Currently, Mr. Smith's travel is limited to the Southern District of New York, and he is required to be in his apartment from 8:00 pm in the evening until to 8:00 am the following morning. Accordingly, we respectfully request the Court modify Mr. Smith's conditions of release so that he may travel to New Jersey for one day on May 24, 2021 and leave his apartment before his usually permitted time. Mr. Smith will be available at all times via the mobile phone that he has access to (his fiancé's cellular phone).

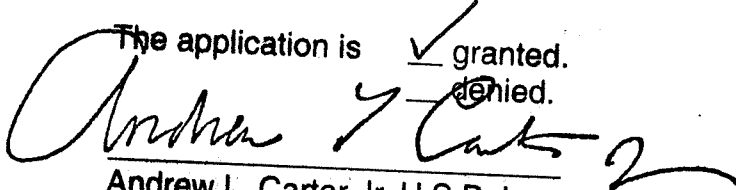
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Thank you for your consideration of this application. I am available at the Court's convenience if Your Honor has any questions.

Very truly yours,

Ellen M. Murphy

cc: AUSA Christopher Clore (*via ECF*)  
Gregory Morvillo, Esq. (*via ECF*)  
Officer John Moscato (*via email*)

The application is ☒ granted.  
~~denied.~~  
  
Andrew L. Carter Jr, U.S.D.J.  
Dated: May 21, 2021  
NY, New York